Exhibit A

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SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK Index No. SALONCLICK, LLC, d/b/a MIN NEW YORK, Plaintiff,: **SUMMONS** Plaintiff designates New York County as the place of trial. v. SUPEREGO MANAGEMENT LLC and MINDY The basis of the venue is Plaintiff's Place of Business YANG, Plaintiff's Principal Place of Business is Defendants. at 117 Crosby Street, New York, NY

To the above named Defendants

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your answer, or, if the Complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the date of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: New York, New York

March 14, 2016

PHILLIPS NIZER LLP

Attorneys for Plaintiff

10012.

Thomas G. Jackson Elizabeth A. Adinolfi Office and Post Office Address

666 Fifth Avenue

New York, NY 10103-0084

Defendants' addresses:

SUPEREGO MANAGEMENT LLC 401 Park Avenue South, 10th Fl. New York, NY 10016

MINDY YANG 401 Park Avenue South, 10th Fl. New York, NY 10016

COUNTY OF NEW YORK	`
SALONCLICK, LLC, d/b/a MIN NEW YORK, Plaintiff,:	Index No.
v. : SUPEREGO MANAGEMENT LLC and MINDY :	COMPLAINT
YANG,	
: Defendants.	
: X	

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The Plaintiff, SALONCLICK LLC, d/b/a MIN NEW YORK ("MiN NY"), by its attorneys, Phillips Nizer LLP, for its Complaint against Defendants SUPEREGO MANAGEMENT LLC ("Superego") and MINDY YANG ("Yang"), alleges as follows:

- 1. This is an action for replevin, conversion, trademark infringement, unfair competition, deceptive business practices, trespass, destruction of property, and breach of fiduciary duty.
- 2. MiN NY is a limited liability company duly organized and existing under the laws of the State of Pennsylvania. MiN NY maintains a principal place of business at 117 Crosby Street, New York, NY 10012, in New York County.
- 3. MiN NY is an innovative manufacturer, distributor, retailer and curator that specializes in formulating and identifying exceptional fragrance and grooming products for both men and women.
- 4. Upon information and belief, Superego is a limited liability company duly organized and existing under the laws of the State of New York and maintains a principal place of business at 401 Park Avenue South, 10th Floor, New York, NY 10016.

- 5. Upon information and belief, Superego is in the business of providing marketing and graphic design consulting services.
- 6. Upon information and belief, Yang is the sole owner of Superego and is a citizen of the State of New York.
- 7. Plaintiff Salonclick LLC was founded by Chad Murawczyk ("Murawczyk ") in 1999, and at all times he has been the sole owner. Salonclick has done business as "MiN New York", which is a play on the phrase, "A New York Minute" since 1999. Through MiN NY, Murawczyk manufactured hair color, hair care and skin care products under the "MiN New York" brand name. MiN NY sold to salons, spas and directly to consumer. One of the domain names the company purchased and utilized was mensgroomingessentials.com.
- 8. In 2008, MiN NY opened its flagship store in SoHo. Since opening the store, MiN NY has used the tagline "The Art of Living" to create the correct "brand umbrella" for all of the different products sold at the shop. In addition to its own products, MiN NY also sells unique, difficult to find perfumes and fragrance products from independent perfumeries around the world.
- 9. MiN NY was in need of assistance with graphic design, public relations, and marketing, particularly social media. Murawczyk knew Yang socially and knew that she did the kind of consulting work MiN NY was seeking through her company, Superego.
- 10. MiN NY retained Superego as an independent contractor. Superego was paid for all of Yang's work and 1099s were issued to Superego. At no point in time did Yang or Superego have any ownership interest in MiN NY.
- 11. Through Superego, Yang performed various tasks for MiN NY related to graphic design, marketing, assistance with public events, and administrative support as needed. On

average, she spent 15 to 20 hours a week on work for MiN NY. She was not restricted from working for anyone else, or on her own projects. She was not required to work any set hours, nor was she required to physically be at MiN NY's office. She often worked remotely, meaning she had access to MiN NY's computer systems and online accounts, access she has now used to damage MiN NY and benefit her own enterprise, TheArtOfLiving.Earth, which, upon information and belief, is described as an online store "dedicated to supporting gifted individuals, artisans and small businesses from around the world, especially in developing countries."

- 12. Over time, MiN NY began having problems with both Yang's attitude and her work, particularly her lack of cooperation, refusal to take direction, and inability to complete tasks as directed. It seemed that she was more interested in promoting herself than in promoting MiN NY and its brands; and that she was trying to make herself, and her image, part of the product.
- 13. In December of 2015, Murawczyk decided that Superego's services were no longer needed, and when he told Yang that MiN NY was no longer going to be utilizing her services, it at first appeared that the parting had gone smoothly. Upon information and belief, Yang left New York City and went to California for about four weeks.
- 14. By early January, MiN NY had retained another consultant to perform the work Yang had handled previously.
- 15. In January of 2016, Murawczyk received a phone call from Yang asking, "Am I coming back or not?" He told her that she was not. Subsequently, Yang began to use her access to MiN NY's social media accounts and online accounts to damage MiN NY and benefit her own enterprise.

- 16. In 2014, MiN NY introduced its house brand of perfumes called "Scent Stories." Yang had no more role in the creation of these scents than anyone else at MiN NY who would smell them and offer their opinions on the scent.
- 17. Since 2014, Scent Stories has been a trademark registered and owned by MiN NY, Federal Registration Number, 4620007, Exhibit A.
- 18. Since at least 2007, MiN NY has also used the phrase "The Art of Living" as a tagline. It hangs on a banner outside of MiN NY's store. It is used on MiN NY's packaging and in advertising. It is also used on MiN NY's website.
- 19. MiN NY owns the Twitter account @ScentStories and controlled the account up until approximately two weeks ago when, upon information and belief, Yang seized control of the account. Upon information and belief, Yang was able to do this because, when the Twitter account was created, without MiN NY's knowledge or consent, Yang used her personal email account instead of her MiN NY account. This account was linked with other social media accounts owned and controlled by MiN NY, such as its Instagram account, and the account was set up so that postings on other social media would automatically get sent out over Twitter as well. Now MiN NY no longer has access to its Twitter account and is unable to post to the @ScentStories account.
- 20. Upon information and belief, Yang has now taken over this Twitter account, as is evidenced by Exhibit B. She has added her website, mindyyang.info, to the Twitter page, and added the text "Limited Editions of Olfactory Art potions that transcend time and space. By Mindy Yang for MiN New York," thereby falsely promoting herself as the creator of MiN NY's products and using the MiN NY name to falsely promote her business and falsely imply that MiN NY is associated with or endorses Yang and her business.

- 22. Upon information and belief, in the next Exhibit B entry, Yang responds to a tweet from Spitzenhaus, one of MiN NY's European retailers, and tweets a link to her Twitter account, @godolcevita.com, upon information and belief Yang's personal Twitter account.
- 23. MiN NY has been unable to regain control of the @ScentStories Twitter account. All efforts have been thwarted because Twitter sends a confirmation code that must be entered to regain control of the account. However, upon information and belief, Yang changed the email address on file with Twitter so all codes are sent to her, and not to MiN NY.
- 24. Upon information and belief, Yang has seized control of other MiN NY social media assets. The website www.newyorkheart.org, and its corresponding Facebook page, is a social media vehicle that Murawczyk created to communicate information about poaching of ivory. While anti-poaching advocacy is a personal project for Murawczyk, he has affiliated his advocacy efforts with MiN NY in order to promote MiN NY as a socially responsible and concerned business. MiN New York has hosted events by one of the leading elephant experts, Andrea Turkalo, and others involved in anti-poaching efforts. New York Heart's Facebook page was used for the same social messaging.

- 25. Mindy Yang had administrative access to both the website and the Facebook page because she helped with social media. Upon information and belief, she has now locked the company out and is now posting on New York Heart's Facebook and including the website of her new business TheArtOfLiving.Earth in posts to drive people to her business. *See* Exhibit C.
- 26. Upon information and belief, Yang seized the MiN NY <u>newyorkheart.org</u> domain name and has connected it to her business domain, <u>theartofliving.earth</u>. This means if someone tries to go to www.newyorkheart.org's website, they are instantly redirected to Yang's www.theartofliving.earth website.
- 27. Upon information and belief, Yang has done the same thing with MiN NY's domain name, inventoryofexperiences.com. This domain was purchased and developed by MiN NY to support a marketing campaign for new fragrances being introduced to the Scent Stories line. Yang worked on this project, and it was her poor performance in executing her work for this project that finally led MiN NY to terminate its use of Superego's services. Anyone who now enters this website address in their browser, or clicks on a preexisting link is directed to a page that states that it is curated by Mindy Yang and contains a link, not to MiN NY's website, as was the original intent of the webpage's design, but to Yang's www.theartofliving.earth website. See Exhibit D. Yang's seizure of this domain has impaired MiN NY's ability to launch this new marketing campaign.
- 28. Long before Yang performed any work for MiN NY, MiN NY owned and operated the website www.mensgroomingessentials.com. For a brief period, Yang had also redirected this domain so that when someone entered this website address in their browser, or clicked on a preexisting link, they would be instantly redirected to her www.theartofliving.earth website. MiN NY was able to regain control of this website; however, upon information and

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belief, when Yang discovered that she no longer had control of it, Yang created the domain name mensgroomingessentials.earth, which redirects users to the <u>www.theartofliving.earth</u> website.

- 29. MiN NY tried to regain control of these domains, all of which were registered through GoDaddy, the world's largest publicly traded and accredited internet domain registrar and web hosting company. Murawczyk contacted GoDaddy and verified the complete credit card number and company billing information in order to become a verified user on the accounts. However, because Yang handled MiN NY's social media accounts, she was permitted to and directed by MiN NY to purchase some of these domains using her MiN NY corporate credit card. Upon information and belief Yang has now put a secondary security passcode on the accounts. Because Murawczyk does not know that passcode and so cannot provide it to GoDaddy.com, they will not restore MiN NY's access to the accounts or provide any information about the accounts.
- 30. Upon information and belief, on March 10, 2016, after learning that MiN NY intended to pursue its rights in court, Yang accessed MiN NY's online file storage account with the company Dropbox.com, deleted hundreds of files, and changes the access settings, locking MiN NY out of this account as well. These files represent hundreds of hours of work and tens of thousands of dollars of resources: product photography images, label design, design archive, and the like. MiN NY staff and vendors used this Dropbox account for accessing file data for printing labels, distributors used it to obtain product images, photographs, etc. Upon information and belief, the deleted files can possibly be restored, but only if MiN NY can regain access to this account before April 8, 2016. However, MiN NY is in immediate need of these files, as they are the foundation of its business.

FIRST CAUSE OF ACTION: REPLEVIN

- 31. MiN NY repeats and realleges each of the allegations set forth in paragraphs 1 through 30 hereof with the same force and effect as if fully set forth herein.
- 32. Yang has wrongfully, without authority or permission, taken MiN NY's assets, to whit, the computer files in MiN NY's Dropbox, the MiN NY Dropbox account, the @ScentStories Twitter account, the inventoryofexperiences.com domain name, the newyorkheart.org domain name, and the New York Heart Facebook page.
- 33. Accordingly, as the true owner of these assets, MiN NY is entitled to a judgment and order requiring Defendants to return all of MiN NY's assets.

SECOND CAUSE OF ACTION: CONVERSION

- 34. MiN NY repeats and realleges each of the allegations set forth in paragraphs 1 through 33 hereof with the same force and effect as if fully set forth herein.
- 35. Yang has wrongfully, without authority or permission, taken MiN NY's assets, to whit, the computer files in MiN NY's Dropbox, the MiN NY Dropbox account, the @ScentStories Twitter account, the inventoryofexperiences.com domain name, the newyorkheart.org domain name, and the New York Heart Facebook page, and converted them for her own use.
- 36. Accordingly, Defendants are indebted to MiN NY in an amount to be determined at trial.

THIRD CAUSE OF ACTION: TRADEMARK INFRINGEMENT

- 37. MiN NY repeats and realleges each of the allegations set forth in paragraphs 1 through 36 hereof with the same force and effect as if fully set forth herein.
- 38. Since 2014, MiN NY continuously has used its registered trademark "Scent Stories" in interstate commerce, to identify the MiN NY line of fragrance products and to distinguish them from others by prominently displaying the "Scent Stories" trademark on its packaging, advertising and promotional literature, display materials and other such items, and websites and social media. Through such use, the "Scent Stories" trademark has acquired a strong consumer awareness and secondary meaning.
- 39. Upon information and belief, Defendants intentionally have infringed the "Scent Stories" trademark by seizing control of MiN NY's Twitter account, @ScentStories, and using it for their own purposes.
- 40. The use of the "Scent Stories" trademark by Defendants is without permission or authority of MiN NY. The infringing use of the "Scent Stories" trademark is likely to be confusing to consumers, leading them to believe erroneously that they are dealing with MiN NY, or a company affiliated with MiN NY, when they are instead dealing with Defendants.
- 41. Defendants' use of the "Scent Stories" trademark is likely to deceive and cause confusion and mistake as to the source of defendants' goods in that purchasers and potential purchasers thereof are likely to associate those products as originating with, having been designed by, manufactured by, sponsored by, licensed by, authorized by, or otherwise affiliated with MiN NY, all to the detriment of MiN NY.

- 42. Defendants' conduct as alleged herein constitutes trademark infringement in violation of Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1).
- 43. As a direct and proximate result of Defendants' willful and wanton actions and conduct MiN NY has been injured and will continue to suffer irreparable injury to its business and reputation unless Defendants are restrained by this Court from infringing the "Scent Stories" trademark.
 - 44. MiN NY has no adequate remedy at law.

FOURTH CAUSE OF ACTION INFRINGEMENT OF COMMON LAW TRADEMARK RIGHTS

- 45. MiN NY repeats and realleges each of the allegations set forth in paragraphs 1 through 44 hereof with the same force and effect as if fully set forth herein.
- 46. MiN NY has common law trademark rights in the marks "Scent Stories", "The Art of Living", "Art of Living", "Men's Grooming Essentials", and "New York Heart". As a result, Defendants' use of these marks constitutes an infringement of MiN NY's exclusive common law rights in and to the marks in that such use is likely to cause confusion, deception and mistake in the minds of the public with respect to the origin, source and affiliation of the Defendants' business and products.
- 47. Defendants' use of the marks and the other conduct set out above has been and continues to be an infringement of MiN NY's rights in and to the marks, and the common law rights accorded MiN NY by virtue of its prior use of the marks.
- 48. Defendants' conduct as alleged herein constitutes common law trademark infringement.

- 49. As a direct and proximate result of Defendants' willful and wanton actions and conduct, MiN NY has been injured and will continue to suffer irreparable injury to its business and reputation unless Defendants are restrained by this Court from using the marks, and restrained from otherwise falsely designating, representing and describing their products as those of, sponsored by, licensed by, authorized by, or otherwise emanating from MiN NY.
 - 50. MiN NY has no adequate remedy at law.

FIFTH CAUSE OF ACTION COMMON LAW UNFAIR COMPETITION

- 51. MiN NY repeats and realleges, as if fully set forth herein, the allegations of paragraphs 1 through 50, above.
- 52. The aforesaid use by Defendants of the marks "Scent Stories", "The Art of Living", "Art of Living", "Men's Grooming Essentials", and "New York Heart", their false statements of relationship to or affiliation with MiN NY, and their other conduct set out above falsely suggests an association with, sponsorship by, or authorization by MiN NY.
- 53. Upon information and belief, the aforesaid use by Defendants of the marks "Scent Stories", "The Art of Living", "Art of Living", "Men's Grooming Essentials", and "New York Heart", their false statements of relationship to or affiliation with MiN NY, and their other conduct as set out above were calculated to deceive or confuse the public and to profit unjustly from the goodwill of MiN NY. Defendants' actions constitute unfair competition with MiN NY under the laws of the State of New York.
- 54. As a direct and proximate result of Defendants' willful and wanton actions and conduct, MiN NY has been injured and will continue to suffer irreparable injury to its business and reputation unless Defendants are restrained by this Court from using the marks, from making

false statements concerning their relationship to or affiliation with MiN NY, from the other conduct set forth above and from infringing the common law rights of plaintiff MiN NY.

55. MiN NY has no adequate remedy at law.

SIXTH CLAIM FOR RELIEF VIOLATION OF SECTION 360-1 OF THE NEW YORK GENERAL BUSINESS LAW

- 56. MiN NY repeats and realleges, as if fully set forth herein, the allegations of paragraphs 1 through 55, above.
- 57. The MiN NY marks are distinctive and have acquired secondary meaning in the marketplace.
- 58. Defendants' use of the marks, their false statements concerning their relationship to or affiliation MiN NY, and other conduct as set forth above, have blurred the selling power of the marks, tarnished and reduced the marks' reputation and standing in the eyes of consumers as identifiers of MiN NY products, and diminished the marks' ability to serve as source and product identifiers.
- 59. Defendants' conduct violates Section 360-l of the New York General Business Law.
- 60. As a direct and proximate result of Defendants' willful and wanton acts and conduct, MiN NY has been injured and will continue to suffer irreparable injury to its business and reputation unless Defendants are restrained by this Court from further use of the marks, and from making false statements as to their relationship to or affiliation with MiN NY, and the other wrongful conduct in connection with the marks set out above.
 - 61. MiN NY has no adequate remedy at law.

SEVENTH CLAIM FOR RELIEF VIOLATION OF SECTION 349 OF THE NEW YORK GENERAL BUSINESS LAW

- 62. MiN NY repeats and realleges, as if fully set forth herein, the allegations of paragraphs 1 through 61, above.
- 63. Defendants' use of MiN NY's marks, their false statements concerning their relationship to or affiliation MiN NY, and other conduct as set forth above, have misled and deceived consumers in a material way.
- 64. Defendants' wrongful conduct was consumer-oriented and has harmed the public generally, and consumers of MiN NY's products in particular.
- 65. Defendants' wrongful conduct was likely to mislead a reasonable consumer acting reasonably under the circumstances.
- 66. Defendants have knowingly, willfully, maliciously and intentionally engaged in deceptive acts and practices in the conduct of business, trade or commerce in the State of New York, in violation of New York General Business Law ("GBL") § 349.
- 67. By reason of Defendants' violation of GBL § 349, Plaintiff has been damaged by the loss of its business reputation and good will.
- 68. The harm to Plaintiff is irreparable, continuing and not fully compensable by money damages.
- 69. Defendants' wrongful acts will continue to cause damage and irreparable injury to Plaintiff unless enjoined by this Court.
- 70. Pursuant to GBL § 349, Plaintiff may recover its damages, plus attorneys' fees, and may obtain an injunction enjoining the deceptive practice.

EIGHTH CLAIM FOR RELIEF TRESPASS

- 71. MiN NY repeats and realleges, as if fully set forth herein, the allegations of paragraphs 1 through 70, above.
- 72. Defendants have, without authorization, accessed multiple computer services which rightly belong to MiN NY, including MiN NY's Dropbox account, New York Heart Facebook account, @ScentStories Twitter account, and GoDaddy.com account.
- 73. Defendants conduct violates numerous provisions of New York Penal law Article 156, including: 156.05 Unauthorized use of a computer; 156.10 Computer trespass; 156.20 Computer tampering in the fourth degree; 156.25 Computer tampering in the third degree; 156.26 Computer tampering in the second degree; 156.29 Unlawful duplication of computer related material in the second degree, and 156.30 Unlawful duplication of computer related material in the first degree.
- 74. Accordingly, Defendants are indebted to MiN NY in an amount to be determined at trial.

NINTH CLAIM FOR RELIEF BREACH OF FIDUCIARY DUTY

- 75. MiN NY repeats and realleges, as if fully set forth herein, the allegations of paragraphs 1 through 74, above.
- 76. At all relevant times prior to its termination in December of 2015, Yang, through Superego, was an independent contractor for MiN NY, for which she was at all times compensated. As an independent contractor, Yang acted as MiN NY's agent, and as such owed MiN NY, the principal, fiduciary duties.

- destroying and denying MiN NY access to said files, (b) seizing MiN NY's social media and internet domains and websites and using them to promote Defendants' new business www.theartofliving.earth, (c) by using MiN NY's mark "The Art of Living" as a business name and domain name, (d) by falsely holding herself out as the creator and source of MiN NY's products and as associated or affiliated with MiN NY, (e) by trying to sow confusion and mislead MiN NY's customers to believe that www.theartofliving.earth is associated with MiN NY, (f) by impairing MiN NY's launch of its marketing campaign, Inventory of Experiences, for its new Scent Stories fragrances; through her conduct of seizing the inventoryofexperience.com domain and using it to redirect consumers to her websites, Defendants have breached their fiduciary duties to MiN NY.
- 78. Accordingly, Yang and Superego are indebted to MiN NY in an amount to be determined at trial.

WHEREFORE, Plaintiff MiN NY seeks judgment as follows:

- 1. Directing that Defendants:
- (a) restore control of the MiN NY Dropbox account;
- (b) return all files taken from the MiN NY Dropbox account;
- (c) restore control of the @ScentStories Twitter account to Plaintiff;
- (d) restore control of the New York Heart Facebook page to Plaintiff;
- (e) restore control of the Internet domain names newyorkheart.org and inventoryofexperiences.com to Plaintiff;
- (f) remove or rename the theartofliving.earth Instagram page and close the corresponding Instagram account; and
- (g) assign and transfer the Internet domain names theartofliving.earth, artofliving.earth, and mensgroomingessentials.earth to Plaintiff.

- 2. Enjoining Defendant Mindy Yang from:
- (a) holding herself out as affiliated with Plaintiff in any way;
- (b) holding herself out as the source, designer, creator, or inventor of any of Plaintiff's products;
- (c) holding herself out in any manner likely to cause confusion as to the source of goods or services sold, offered for sale or provided by MiN New York;
- (d) using any user name, hashtag or other identifier which is the same as or confusingly similar to MiN New York, Art of Living, Scent Stories, Inventory of Experiences, Men's Grooming Essentials or New York Heart on Twitter or any other social networking service or site or sending or posting tweets, reblogging, tagging or mentioning MiN New York or any trademark, brand, product or product line, tagline, graphic or image associated with MiN New York in any social media profile;
- (e) creating or continuing to maintain any group list on any social media service or site that includes MiN New York or any user name used by or associated with MiN New York;
- (f) uploading images or other content referring to or associated with MiN New York or its products to any social networking service;
- (g) registering, or using any domain name which is the same as or confusingly similar to MiN New York, Art of Living, The Art of Living, Scent Stories, Inventory of Experiences, New York Heart or Men's Grooming Essentials;
- (h) redirecting visitors to any of Plaintiff's websites, URLs or domains to another website; and
- (i) impersonating MiN New York in any way likely to cause others to believe that she or her company or any products or services they offer are associated with MiN New York.
- 3. Ordering Defendants to pay damages in an amount to be determined at trial.
- 4. Ordering Defendants to pay an appropriate amount as punitive damages to deter their willful and wanton conduct and to avoid future confusion or deception of the public and unfair competition with MiN NY;
 - 5. Awarding MiN NY its costs and attorneys' fees incurred in this action; and

6. Granting MiN NY such other and further relief as this Court may deem just and proper.

Dated:

New York, New York

March 14, 2016

PHILLIPS NIZER LLP Attorneys for Plaintiff

By:

Thomas G. Jackson

Elizabeth A. Adinolfi Office and Post Office Address

666 Fifth Avenue

New York, NY 10103-0084

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

SALONCLICK, LLC, d/b/a MIN NEW YORK,

Index No.

Plaintiff,

v.

SUPEREGO MANAGEMENT LLC and MINDY YANG,

Defendants

SUMMONS AND COMPLAINT

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Signed and certified pursuant to 22 NYCRR §130-1.1-a

/s/Elizabeth A. Adinolfi, Esq.

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scent stories

Word Mark SCENT STORIES

IC 003. US 001 004 006 050 051 052. G & S: Perfumes. FIRST USE: 20130801. **Goods and Services**

FIRST USE IN COMMERCE: 20130901

Standard Characters

Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

86148517

Filing Date

December 19, 2013

Current Basis

1A

Original Filing Basis

Published for

1A

Opposition

July 29, 2014

Registration Number

4620007

Registration Date

October 14, 2014

Owner

(REGISTRANT) MiN New York LIMITED LIABILITY COMPANY NEW YORK 117

crosby street new york NEW YORK 10012

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SCENT" APART

FROM THE MARK AS SHOWN

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	Browse Dict	SEARCH OG	Top	HELP	PREV LIST
CURR LIST	NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC			

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Scent Stories

@ScentStories

Limited Editions of Olfactory Art potions that transcend time and space. By Mindy Yang for MiN New York.

New York, NY

@ mindyyang.info





TWEETS 77

FOLLOWING 16

FOLLOWERS 52

LIKES

67



Photos & videos **Tweets** Tweets & replies

In reply to Liz Tullett



Scent Stories @ScentStories - Mar 3

@lizt_sg For events at MiN, send them a note directly. RE: byinvitation-only sensory events, pls write hello@TheArtOfLiving.Earth.





View conversation

In reply to Spitzenhaus

Scent Stories Retweeted



Scent Stories @ScentStories - Mar 3

@_Spitzenhaus_Beautifull cc @godolcevita





View conversation





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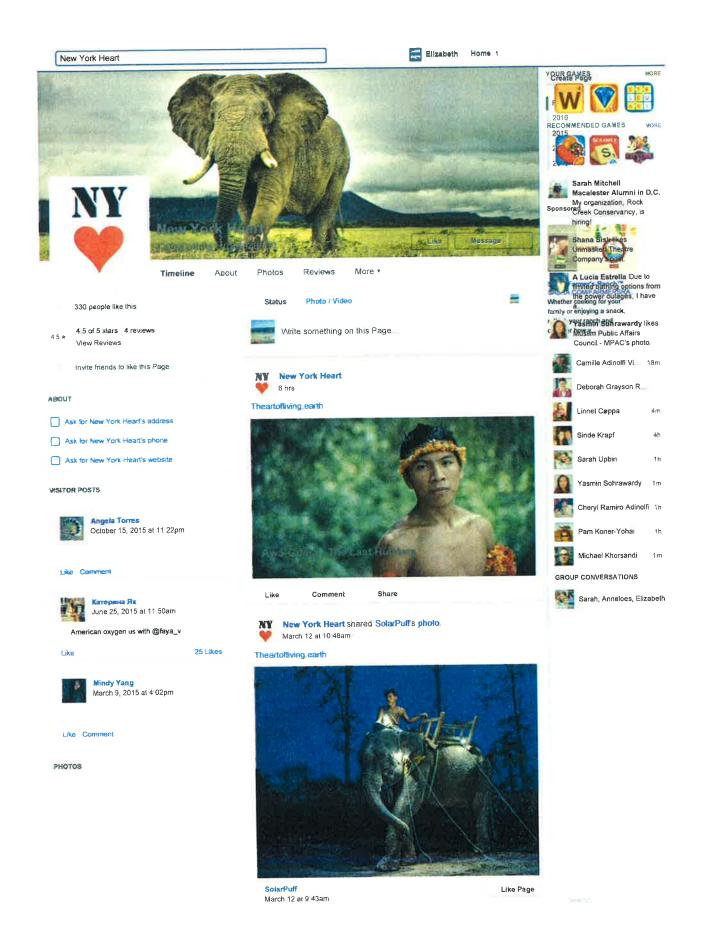
James @JEarnshawUK - 15 Dec 2015

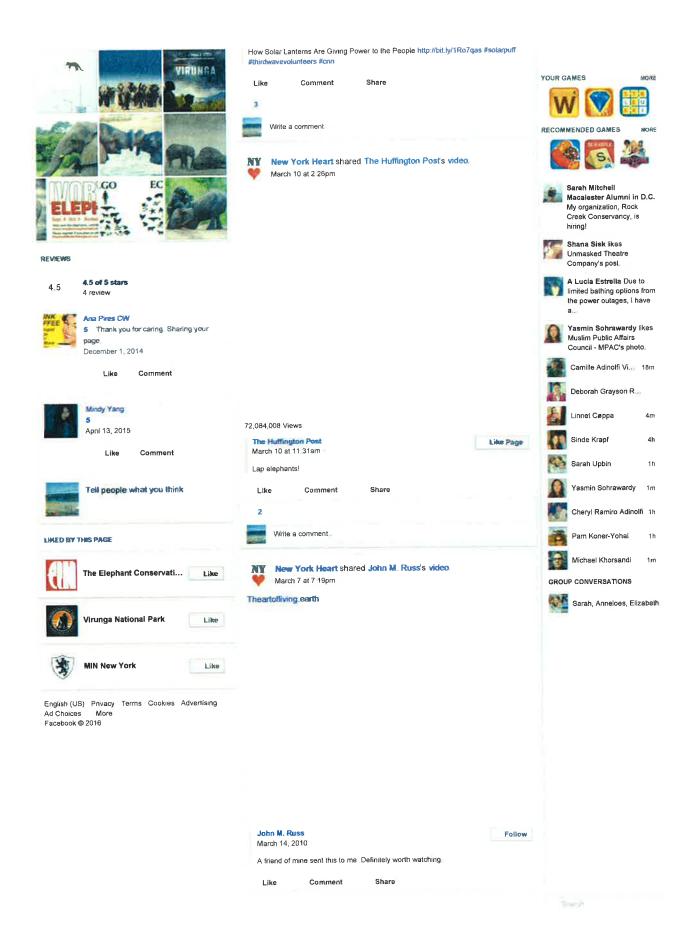
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INVENTORY OF EXPERIENCES +

CURATOR MINDY YANG " THE ART OF LIVING MESSAGE SUBMIT

thebubbinator:

every second of everyday I smell the slightest thing and it reminds me of you. I remember too the hours we would lay in my bed and half music on Spotlfy, or a YouTube playist would wrap your arms around me as we lay there gazing in each others eyes I remember the way you always said my name, as I watched it roll off your perfect toungue 1 remember the way you smell, the way you talked, your perfect laugh as is came out of your mouth I remember the way you cried in my arms, and I rubbed your back as I told you it was all gonna be I remember that smell you Fremember the conversations we would randomly have, that were so deep and meaningful I could never forget them I remember the times where it was 2 AM and we would randomly wake one another up just to say "I love you" I remember it all. i miss it every second of every hour of every day, and wish it ran go back to every day I want to think its that and in all my power I want it like that again. it burns my throat too



INVENTORY OF EXPERIENCES +



-PETRICHOR-

rantos

'm just a barren desert and dry. Which is expect rain soaked and gave me a wonderful life. Orice upon a time, the rain comes, it's not only expectation anymore but, it is a miracle. The scent of happiness, the scent of life, the scent of left desolate. For a moment I became what I expected, But then, for a moment I felt deceived. Made me forget that the rain is not always there for mc. And now, I just love how that scent brings hope without expect nothing anymore, petrichor.

Rani R





goldenflower-tea asked: london, osio, las vegas, chicago, cairo, and mumbal c:

novelteathought:

LONDON: How do you take your tea?

With milk and a little bit of sugar

OSLO: What keeps you warm?

Currently, a heated blanket But if this is in some kind of emotional sense then probably the happiness of my friends? idk

LAS VEGAS: Have you ever broken a heart?

I have no Idea; though I have handled someone telling me they liked me in a very bad way (I thought they were lying and go angry so...).

CHICAGO: What do you ache for?

To have my baseline mood be that of being content;

CAIRO: Whats your favorite quote?

i have so many quotes I love, how am I supposed to decide?! But I think one of my favorites that I haven't mentioned yet (or at least recently) is "I'd forgotten not all victories are about saving the universe." - Rory, DW

MUMBAI: What is your

The smell of rain in the fall when the leaves have fallen. Or warm laundry.

bengalibanter:

I don't know why I call myself a woman Perhaps its something to do with the fact that I liked pink as a girl.Perhaps it's because the word has a nice ring to it, but I once identified as the hind equivalent of boy for the very same reason. Some people say bleeding once a month makes you woman.I don't. Some say loving men makes you woman but every man I've ever let into my bloodstream has infused me

Anonymous asked: Cecilia



Eucalyptus Cute inseparable Light Ignorance

panthxra-tigris:

How is it that something as simple as a familiar scent, reminiscent of happier times, can make you feel tike your old self again?

altonatively:

@kandal-na-fukurou

Tying the strap of his apron around his back, Alto secured his uniform with a tight knot and exited the backroom, The sunlight shone through the glass walls, reflecting off of polished tables and colourful mugs on display He looked upon the growing line of people crowding in front of the counter, their phones in hand, their eyes on the menu, It would be another busy day at Domino Coffee, but the presence of the never ending sea of people and the strong scent of coffee beans excited him. He took a deep breath and mentally prepared himself for the day. He made his way to the counter and powered up the vacant cash register, the small screen on the machine changing to a welcome message of bright green text. Looking up from the counter, he faced his first customer of the day.

Welcome to Domino Coffee. What can I get for you?"



i find it strange that the simple but lovely scent of daffodils which I can smeil in my room right now can make me think of so many things all at once spring Is here and so is love

lilvena:

inder peppermini scented breath as she nibbed her temples a groun ing pink painted lips as she reached for a bottle of water "How much did I drink last







"Yc

"W iťs

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ob

wh







"Our senses of taste and smell are tightly interconnected, but psychologically distinct. The way we develop and feed these two senses has changed throughout our history, prompting our most ambitious thinkers to ponder what these shifting societal sands say about us and the ways we perceive our world."

Kōdō & The Fragrances of Japan

I like pouring your tea, lifting the heavy pot, and tipping it up, so the fragrant liquid streams in your china cup.

EXPERIENC

secret

child twore my harnon child wore my harnon me downs so everyone asked me what gender was and waited for me to ease into femininity but I still wear my har short and shop too much at the mens section, I still havent eased into femininity

but int woman and that is enough in woman when in drowning in the inadequacy of my breasts when im reaching out between my legs when im throwing up one finger down my throat into the toilet bowt when im weeping laughing sobbing sweating recovering smelling disgusting im woman in all that

un woman when I sinel love on my ship and try to scrob, if off tell ne, my body it has been mad acte and also much live and earth and acte and disquest in it for this in a woman at 3 am and as 4 pm and in a San and with my hair in a point trop.

in trafe and in love and in sectory and in Brumph im 3 woman and that is enough

listen, a woman is 4 woman regardors of anything woman't ood soft verified by genting or reproductive capacity, with machine of ight and fire and love and power, to call oneself a woman is validation enough, womanbook is

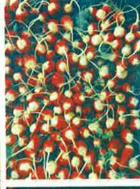












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shethedaydreamer:

Keep reading

MIVENTORY OF EXPERIENCES +

I like to think of your cupped huers diseas you ship curator mindy yang as you sip, of the faint halfsmile of your lips.

I like the questions - sugar? milk? and the answers I don't know by heart, yet, for I see your soul in your eyes, and I forget.

Jasmine, Gunpowder, Assam, Earl Grey, Ceylon, Hove tea's names. Which tea would you like? I say but it's any tea for you, please, any time of day,

as the women harvest the slopes for the sweetest leaves, on Mount Wu-Yi, and I am your lover, smitten, straining your tea.

> Tea Carol Anne Duffy (via khaleesijade)











Anonymous asked: i told my crush about my love for the smell of auout my love for the smell of vanilla so he got me a vanilla candle for christmas & bought vanilla fragrance for himself so he always smells like my favourite thing when I hug him

sleepysuggestions:

that is the cutest thing ever

	At Part of the Supreme Court of the State of New York, held in and for the County of New York, at the Courthouse thereof, located at 60 Centre Street, New York, New York, on the day of March, 2016.
PRESENT:	
Justice	
SUPREME COURT OF THE STATE OF NEW YORK	
SALONCLICK LLC, D/B/A MIN NEW YORK,	x :
Plaintiff,	: Index No.
-against-	: ORDER TO SHOW CAUSE
SUPEREGO MANAGEMENT LLC, MINDY YANG,	WITH TEMPORARY : RESTRAINING ORDER
Defendants.	: x
Upon the annexed Affidavit of Chad Muraw	vczyk, ("Mr. Murawczyk"), sworn to on
March 10, 2016, the exhibits annexed thereto, the M	Memorandum of Law, dated March 10, 2016,
and all the prior papers and proceedings herein, it is	S
ORDERED that defendants Superego Man	agement LLC ("Superego") and Mindy
Yang., show cause before this Court at Part to	be held at the Courthouse located at 60 Centre
Street, New York, New York, on	, ata.m./p.m. or as soon
thereafter as counsel can be heard, why an order sh	ould not be entered:
1. Directing Defendants to:	
(a) restore control of the MiN N	Y Dropbox account;

- (b) return all files taken from the MiN NY Dropbox account;
- (c) restore control of the @ScentStories Twitter account to Plaintiff;
- (d) restore control of the New York Heart Facebook page to Plaintiff;
- (e) restore control of the Internet domain names newyorkheart.org and inventoryofexperiences.com to Plaintiff;
- (f) remove the theartofliving.earth Instagram page and close the corresponding Instagram account;
- (g) assign and transfer the Internet domain names theartofliving.earth, artofliving.earth, and mensgroomingessentials.earth to Plaintiff
 - 2. Enjoining Defendant Mindy Yang from:
 - (a) holding herself out as affiliated with Plaintiff in any way;
- (b) holding herself out as the source, designer, creator, or inventor of any of Plaintiff's products;
- (c) holding herself out in any manner likely to cause confusion as to the source of goods or services sold, offered for sale or provided by MiN New York;
- (d) using any user name, hashtag or other identifier which is the same as or confusingly similar to Min New York, Art of Living, Scent Stories, Inventory of Experiences, Men's Grooming Essentials or New York Heart on Twitter or any other social networking service or site or sending or posting tweets, reblogging, tagging or mentioning MiN New York or any trademark, brand, product or product line, tagline, graphic or image associated with MiN New York in any social media profile;
- (e) creating or continuing to maintain any group list on any social media service or site that includes MiN New York or any user name used by or associated with MiN New York;

1275226.2

- (f) uploading images or other content referring to or associated with MiNNew York or its products to any social networking service;
- (g) registering, or using an domain name which is the same or confusingly similar to Min New York, Art of Living, The Art of Living, Scent Stories, Inventory of Experiences, New York Heart or Men's Grooming Essentials;
- (h) redirecting visitors to any of Plaintiff's websites, URLs or domains to another website; and
- (i) impersonating MiN New York in any likely to cause others to believe that she or her company or any products or services they offer are associated with MiN New York
- 3. Granting Plaintiff such other and further relief as this Court deems just and proper.

SUFFICIENT CAUSE APPEARING THEREFOR, it is further

ORDERED that service of a copy of this Order, together with copies of the papers upor
which it is based, on Defendants at 401 Park Ave S. 10th Floor, NY NY 10016, on or before
, shall be deemed good and sufficient service, and it is further

1275226.2

ORDERED that within 24 hours of the service of this Order, Defendants:

- (a) Restore control of the @ScentStories Twitter Account to Plaintiff;
- (b) Restore control of the New York Heart Facebook page to Plaintiff;
- (c) Restore control of the internet domain names www.newyorkheart.org and www.inventoryofexperiences.com to Plaintiff;

ORDERED that, pursuant to CPLR § 2214, answering papers, if any, shall be served upon Plaintiff's attorneys, Phillips Nizer LLP, at their offices at 666 Fifth Avenue, New York, New York 10103, so as to be received in hand at least __ prior to the return date of this motion; and it is further

ORDERED that, reply papers, if any, shall be served so as to be received on the return date hereof.

ENTER:		

1275226.2 4

FILED: NEW YORK COUNTY CLERK 03/15/2016 01:40 PM INDEX NO. 152192/2016

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PRECEIVED NYSCEF: 03/15/2016

SUPREME COURT OF THE ST COUNTY OF NEW YORK	ATE OF NEW YO	
SALONCLICK, LLC, d/b/a MIN NEW YORK,		x :
	Plaintiff,	: Index No.
- against - SUPEREGO MANAGEMENT I YANG,	LC and MINDY Defendants.	: AFFIDAVIT OF CHAD MURAWCZYK IN SUPPORT OF : ORDER TO SHOW CAUSE :
STATE OF NEW YORK COUNTY OF NEW YORK)) ss.:)	

CHAD MURAWCZYK, being duly sworn, deposes and says:

- 1. I am the sole owner and founder of Plaintiff Salonclick, LLC, d/b/a MiN New York ("MiN NY"). I make this affidavit in support of MiN NY's Order to Show Cause for injunctive relief:
 - (a) Directing Defendants to:
 - (i) restore control of the MiN NY Dropbox account;
 - (ii) return all files taken from the MiN NY Dropbox account
 - (iii) restore control of the @ScentStories Twitter account to Plaintiff;
 - (iv) restore control of the New York Heart Facebook page to Plaintiff;
 - (v) restore control of the Internet domain names newyorkheart.org and inventoryofexperiences.com to Plaintiff;
 - (vi) remove or rename the theartofliving.earth Instagram page and close the corresponding Instagram account; and
 - (vii) assign and transfer the Internet domain names theartofliving.earth, artofliving.earth, and mensgroomingessentials.earth to Plaintiff.
 - (b) Enjoining Defendant Mindy Yang ("Yang") from:
 - (i) holding herself out as affiliated with Plaintiff in any way;

- (ii) holding herself out as the source, designer, creator, or inventor of any of Plaintiff's products;
- (iii) holding herself out in any manner likely to cause confusion as to the source of goods or services sold, offered for sale or provided by MiN NY;
- (iv) using any user name, hashtag or other identifier which is the same as or confusingly similar to MiN NY, Art of Living, Scent Stories, Inventory of Experiences, Men's Grooming Essentials or New York Heart on Twitter or any other social networking service or site or sending or posting tweets, reblogging, tagging or mentioning MiN NY or any trademark, brand, product or product line, tagline, graphic or image associated with MiN NY in any social media profile;
- (v) creating or continuing to maintain any group list on any social media service or site that includes MiN NY or any user name used by or associated with MiN NY;
- (vi) uploading images or other content referring to or associated with MiN NY or its products to any social networking service;
- (vii) registering, or using a domain name which is the same as or confusingly similar to Min NY, Art of Living, The Art of Living,
 Scent Stories, Inventory of Experiences, New York Heart or Men's Grooming Essentials;
- (viii) redirecting visitors to any of Plaintiff's websites, URLs or domains to another website; and
- (ix) impersonating MiN New York in any way likely to cause others to believe that she or her company or any products or services they offer are associated with MiN NY;
- (c) And any other relief the Court finds is just and proper.
- 2. Nothing in Plaintiff's application is an effort to prevent Yang, a former consultant who worked for Plaintiff as an independent contractor, from engaging in any business activities that may compete with Plaintiff, so long as those activities are fair and do not exploit Plaintiff's intellectual property and assets. But rather than trying to build her own business and her own brand, Yang has hijacked Plaintiff's social media accounts to drive business away from Plaintiff and to her business, and is holding herself out as the creator of Plaintiff's products. Plaintiff

1275429.4

requests immediate relief in order to prevent Yang's activities from damaging its business by confusing and diverting its customers and impairing its reputation.

- 3. I founded Plaintiff Salonclick LLC in 1999. Salonclick has done business as "MiN New York", which is a play on the phrase, "A New York Minute," since 1999. I have not had any investors or business partners. Through MiN NY, I manufactured hair color, hair care and skin care products under the "MiN New York" brand name. MiN NY sold its products to salons, spas and directly to consumers. One of the domain names the company purchased and utilized was mensgroomingessentials.com.
- 4. In 2008, MiN NY opened its flagship store in SoHo. Since opening the store, MiN NY has used the tagline "The Art of Living" to create the correct "brand umbrella" for all of the different products sold at the shop. In addition to its own products, MiN NY also sells unique, difficult to find perfumes and fragrance products from independent perfumeries around the world.
- 5. In 2014, MiN NY introduced its house brand of perfumes called "Scent Stories." Since 2014, Scent Stories has been a trademark registered and owned by MiN NY, Federal Registration Number, 4620007. Exhibit A. Each Scent Stories product comes with a Certificate of Authenticity, which I personally sign. At the bottom of the Certificate it reads "MiN NEW YORK I THE ART OF LIVING." Exhibit B.
- 6. In order to meet all of MiN NY's business needs, I rely a fair amount on freelancers, utilizing approximately 12 to 15 different individuals depending on what is needed. In approximately 2007or 2008, I found that I needed assistance with graphic design, public relations, and marketing, particularly social media. I knew Yang socially and knew that she did

the kind of consulting I was looking for through her company, Defendant Superego Management, LLC ("Superego").

- 7. Plaintiff retained Superego as an independent contractor, but the relationship was never reduced to a formal contract. Superego was paid for all of Yang's work. Exhibit C is a copy of Superego's 2015 Form 1099 and a report of all payments made to Superego in 2015. At no time did Yang or Superego have any ownership interest in MiN NY.
- 8. Through Superego, Yang performed various tasks for MiN NY related to graphic design, marketing, assistance with public events, and administrative support as needed. On average, she spent 15 to 20 hours a week on work for MiN NY. She was not restricted from working for anyone else, or on her own projects. She was not required to work any set hours, nor was she required to physically be at MiN NY's office. She often worked remotely, meaning she had access to MiN NY's computer systems and online accounts, access she has now used to damage MiN NY and benefit her own enterprise.
- 9. Yang was not involved in identifying or sourcing products from third parties for MiN NY to carry. Yang was not involved in MiN NY product development. Her role was to update the MiN NY website, develop MiN NY's social media presence, along with other traditional public relations efforts, such as developing media contacts and assisting in the planning of MiN NY related events. She had no role in MiN NY's product manufacturing, product sourcing, financial management or logistics.
- 10. Over time, Yang became more and more difficult to work with. She could not take criticism or input from others; things had to be done her way with her ideas. She would become very angry and combative if anyone questioned her. She apparently felt that MiN NY's success was all due to her genius. Last Fall, MiN NY was working on the launch of a new

1275429.4 4

marketing campaign, "Inventory of Experiences," for the introduction of five new fragrances to the Scent Stories product line. On MiN NY's behalf, Yang used MiN NY's corporate credit card to purchase the domain Inventoryofexperiences.com to support this marketing campaign. MiN NY receives one bill for all card holders and pays the corporate credit card directly, so Yang cannot claim that she purchased the domain. I found Yang's work and direction for the campaign not up to par for the company. It seemed that she was more interested in promoting herself than in promoting the new products; and that she was trying to make herself, and her image, part of the product.

- 11. Given the problems that MiN NY was having with both Yang's attitude and her lack of cooperation, refusal to take direction and inability to complete tasks as directed, in December 2015 I decided that Superego's services were no longer needed. I tried to make the parting amicable and professional. When I told Yang that we were no longer going to be utilizing her services, she refused to enter into a severance agreement, but the parting went better than I had expected. She actually left New York City and went to California for about four weeks. By early January, I had retained another consultant to perform the work Yang had handled previously.
- 12. I was shocked when I received a phone call from Yang in January asking, "Am I coming back or not?" I told her that she was not. I had no idea that she had any intention to damage the company or had malicious intent. Shortly after that phone call, before I realized what she was doing and could lock her out of MiN NY's computer system and online accounts, Yang began to use her access to exact revenge.
- 13. Until it was hijacked by Yang approximately two weeks ago, Min NY owned and controlled the Twitter account @ScentStories. This account was linked with other social media

1275429.4 5

accounts owned and controlled by MiN NY, such as the Instagram account, which I managed and still manage. The Twitter account was set up so that postings on other social media would automatically get sent out over Twitter as well. Yang has now taken over this account, as is evidenced in Exhibit D. She has added her website, mindyyang.info, to the Twitter page, and added the text "Limited Editions of Olfactory Art potions that transcend time and space. By Mindy Yang for MiN New York." She is falsely promoting herself as the creator of MiN NY's products. Yang had no more role in the creation of Min NY's products, Scent Stories, than anyone else at MiN NY, as everyone in the boutique would smell them and offer their opinions on the scent.

14. She is also using MiN NY's @ScentStories Twitter account to direct people to her websites and her new business. The first entry on Exhibit D, dated March 3, 2016, shows Yang replying to a customer Tweet:



15. In the post, Yang is using Min NY's Twitter account to tell a MiN NY customer to write to hello@theartofliving.earth for invitations to special events. Given MiN NY's longstanding use of the tagline "The Art of Living", a customer would expect that this email is part of MiN NY. Instead it is the email for Yang's new online business, TheArtOfLiving.Earth.

16. In the next entry on Exhibit D, Yang replies to a Tweet from Spitzenhaus, one of Min NY's European retailers, and Tweets a link to her personal Twitter account,

https://twitter.com/godolcevita, with the tag @godolcevita.com, once again using MiN NY's

Twitter account to promote herself:



17. Yang also is using her personal Twitter account to make claims that MiN NY's products are hers, and sow additional confusion by tweeting the @ScentStories twitter account and New York Heart Facebook page, and promoting the same difficult to find and relatively unknown products which MiN NY sells.



The Road to Hana candle is a MiN NY product; it is not Yang's.

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- 18. Shun You is not a widely known brand, and MiN NY is one of the few boutiques that stocks it. The promotion of a product available through few sources other than MiN NY, coupled with the use of "theartofliving" creates an association in the consumer's mind that Yang's tweet is somehow affiliated with MiN NY.
- 19. Yang has also made Tweets from her personal account in which she claims that MiN NY products are her products, Exhibit E, referring to "my Moondust," which is a fragrance in the Scent Stories collection, and referring to a bottle of MiN NY's perfume pictured in another Tweet as "my perfume."
- 20. I have been unable to regain control of the @ScentStories Twitter account because when I try to regain access, Twitter sends a confirmation code that I must enter. However, Yang apparently has directed the confirmation code to her email address on file with Twitter and, as a result, I am not receiving the confirmation code. Without that confirmation code, I cannot regain control of the account.
- Yang has hijacked other Min NY social media assets. The website www.newyorkheart.org, together with its corresponding Facebook page, is a social media vehicle that I created to communicate information about poaching of ivory, a cause I care deeply about. The newyorkheart.org domain was purchased by Min NY. While anti-poaching advocacy is a personal project, I have affiliated my advocacy with Min NY in order to promote Min NY as a socially responsible and concerned business. Min NY has hosted events by one of the leading elephant experts, Andrea Turkalo, and others involved in anti-poaching efforts. New York Heart's Facebook page was used for the same social messaging.

- 22. Mindy Yang had administrative access to both the website and the Facebook page because she helped with social media. She has since locked the company out and is now posting on New York Heart's Facebook page and including in posts the website of her new business TheArtOfLiving.Earth to drive people to her business. *See* Exhibit F, March 7 and March 4 posts.
- 23. Yang hijacked the newyorkheart.org domain name and has connected it to her business domain, theartofliving.earth. This means if someone tries to go to newyorkheart.org's website, they are instead redirected to Yang's www.theartofliving.earth.
- inventoryofexperiences.com. This domain was purchased and developed by MiN NY to support the marketing campaign "Inventory of Experiences" for new Scent Stories fragrances. This is evident when you click on the "Submit" tab on the page; it is set up so that people can make submissions and tag them with phrases like "MiN New York" and "Scent Stories." Exhibit G. Yang worked on this project, and it was her poor performance in executing her work for this project that finally led MiN NY to terminate its use of Superego's services. Now, anyone who enters this domain name in their browser, or clicks on a preexisting link, is directed to a page that states that it is curated by Mindy Yang and contains a link, not to MiN NY's website as was the original intent of design, but to Yang's www.theartofliving.earth website. Exhibit G. While Yang is free to keep the content she collected to post on the inventoryofexperiences.com site, MiN NY wants its property, the domain it paid for, returned. Yang's seizure of this domain has impaired MiN NY's ability to launch the marketing campaign for its new fragrances.
- 25. Long before Yang performed any work for MiN NY, MiN NY owned and operated the website www.mensgroomingessentials.com. For a brief period, Yang had also

redirected this domain so that when someone enterd this website address in their browser, or clicked on a preexisting link, they instantly would be redirected to her www.theartofliving.earth website. I was able to regain control of the mensgroomingessentials.com website; however, upon discovering that she no longer had control of it, Yang created the domain name mensgroomingessentials.earth, which redirects people to her www.theartofliving.earth website.

- 26. Yang's tactics are bearing fruit for her. On Tuesday March 8, 2016, MiN NY received an email, Exhibit H, from one of our suppliers, Code Deco, a very small perfumery in Singapore. Until March 8, 2016, MiN NY was the only boutique in the United States to carry their products, and, according to their website, it still is. Exhibit I. However, the email requested that we send two sets of Code Deco's fragrances to "Superego Management / TheArtOfLiving.Earth, 401 Park Ave S. 10th Floor, NY NY 10016". There is no coincidence that Yang is now attracting customers who wish to purchase fragrances that were previously available from few sources other than MiN NY, because she is misleading customers into thinking that TheArtofLiving.Earth is affiliated with MiN NY. Such confusion is certainly to be expected when our customers have come to associate that phrase with MiN NY over the past eight years.
- 27. I have tried to regain control of MiN NY's domains, which were registered through GoDaddy.com, the world's largest publicly traded and accredited Internet domain registrar and web hosting company. I contacted GoDaddy and verified the complete credit card number and company billing information in order to become verified with GoDaddy. Exhibit J is a confirmation of all of the domain names registered under MiN NY's GoDaddy account.¹

¹ Several domains that purportedly belong to Yang, including theartofliving.earth and godolcevita.com are under MiN New York's GoDaddy account. I do not know why these domains appear under MiN NY's account but can only assume that Yang used her MiN NY

However, because Yang handled MiN NY's social media accounts, and even purchased some of these domains for MiN NY using her MiN NY corporate credit card, she subsequently was able to put a secondary security passcode on the GoDaddy accounts. Because I do not have that passcode, and so am unable to provide it to GoDaddy.com, they will not restore my access to the accounts or provide me any information about the accounts.

- 28. When I called Yang after discovering that she had seized control of MiN NY's social media accounts to request that she restore to MiN NY the control to which it is entitled and cease misusing MiN NY's intellectual property and assets, she acted blazé about the situation and essentially told me, "I'll see you in Court".
- 29. On March 10, 2016, after learning that MiN NY intended to pursue its rights in court, Yang accessed MiN NY's online file storage account with the company Dropbox.com. Exhibit K. She deleted hundreds of files, and changed the access settings, locking MiN NY out of this account as well. Exhibit L is an email from Dropbox with a list of all of the deleted files. While Dropbox did email my assistant, Suzie Lee a link that would permit her to undo the deletion, Exhibit, L, she cannot access the account through the link because the log in information has been changed.
- 30. These files represent hundreds of hours of work and tens of thousands of dollars of resources: product photography images, label designs, and the like. This account essentially served as MiN NY's design archive. MiN NY staff and vendors used this Dropbox account for accessing file data for printing labels, distributors used it to obtain product images, photographs, etc. According to Dropbox, the deleted files can possibly be restored if MiN NY can regain

corporate card to purchase the domains. Because I have now been denied access to all information about the account by GoDaddy, I cannot get any information to confirm if my suspicion is correct.

access to this account before April 8, 2016. However, MiN NY is in immediate need of these files, as they are the foundation of its business.

- 31. Yang has left me no choice but to seek the intervention of this Court to regain control over MiN NY's social media and Dropbox accounts and protect my company and the assets I have worked so long and so hard to develop.
 - 32. No prior request for the relief requested herein has been made.

CHAD MURAWCZYK

Sworn to before me this

day of March, 2016

Notary Public

KRISTINE M. GRISSETT
Notary Public, State of New York
No. 01GR6075310
Qualified in New York County
Commission Expires June 3, 20

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

SALONCLICK, LLC, d/b/a MIN NEW YORK,

Index No.

Plaintiff,

v.

SUPEREGO MANAGEMENT LLC and MINDY YANG,

Defendants

AFFIDAVIT OF CHAD MURAWCZYK IN SUPPORT OF ORDER TO SHOW CAUSE

PHILLIPS NIZER LLP

Attorneys for Plaintiff

666 FIFTH AVENUE NEW YORK, N.Y. 10103-0084 (212) 977-9700

Signed and certified pursuant to 22 NYCRR §130-1.1-a

/s/Elizabeth A. Adinolfi, Esq.

FILED: NEW YORK COUNTY CLERK 03/15/2016 01:40 PM

INDEX NO. 152192/2016



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scent stories

Word Mark SCENT STORIES

Goods and Services IC 003. US 001 004 006 050 051 052. G & S: Perfumes. FIRST USE: 20130801.

FIRST USE IN COMMERCE: 20130901

Standard Characters

Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

86148517

Filing Date

December 19, 2013

Current Basis

1A

Original Filing Basis

1A

Published for

Opposition

July 29, 2014

Registration Number

4620007

Registration Date

October 14, 2014

Owner

(REGISTRANT) MiN New York LIMITED LIABILITY COMPANY NEW YORK 117

crosby street new york NEW YORK 10012

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SCENT" APART

FROM THE MARK AS SHOWN

Type of Mark

TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

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SCENT STORIES

ONSEN

communion with nature Inspired by Japanese volcanic hot springs, ONSEN evokes

ambergris, Absinth, bergamot, aromatics on hinoki, pine needles, cypress, mineral, sulfur, and steam. vetiver roots, oak moss,

transcendent Powerful, healing &



117 CROSBY STREET, SOHO NY 10012 +1 212 206 6366 MIN.COM #MINNewYork MIN NEW YORK | THE ART OF LIVING

FILED: NEW YORK COUNTY CLERK 03/15/2016 01:40 PM INDEX NO. 152192/2016 NYSCEF DOC. NO. 100 1:40 PM DOCUMENT 1-2 Filed 04/05/16 Page 52 of 91 NYSCEF: 03/15/2016

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Accrual Basis

12:10 PM

MiN New York Find Report

January through December 2015

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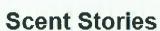
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12:10 PM 03/04/16

Accrual Basis

January through December 2015

MiN New York Find Report



@ScentStories

Limited Editions of Olfactory Art potions that transcend time and space. By Mindy Yang for MiN New York.

New York, NY

@ mindyyang.info





TWEETS 77

FOLLOWING 16

FOLLOWERS 52

LIKES 67



Photos & videos **Tweets** Tweets & replies

In reply to Liz Tullett



Scent Stories @ScentStories - Mar 3

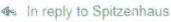
@lizt_sg For events at MiN, send them a note directly. RE: byinvitation-only sensory events, pls write hello@TheArtOfLiving.Earth.







View conversation





@_Spitzenhaus_Beautifull cc @godolcevita





View conversation





Zoologist Perfumes @ZPerfumes

FragrancesOfTheWorld

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A+O Awards

New to Twitter?

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Scent Stories Retweeted

James @JEarnshawUK - 15 Dec 2015

23

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9 119 likes

godolcevita Feeling a little like this... Wearing my #MoonDust... #scentstories #nostalgia #otherworldly #godolcevita #artofliving #raisingthefrequency #wanderlust #wakingdream #instamood #picoftheday #olfactoryart #trueromance



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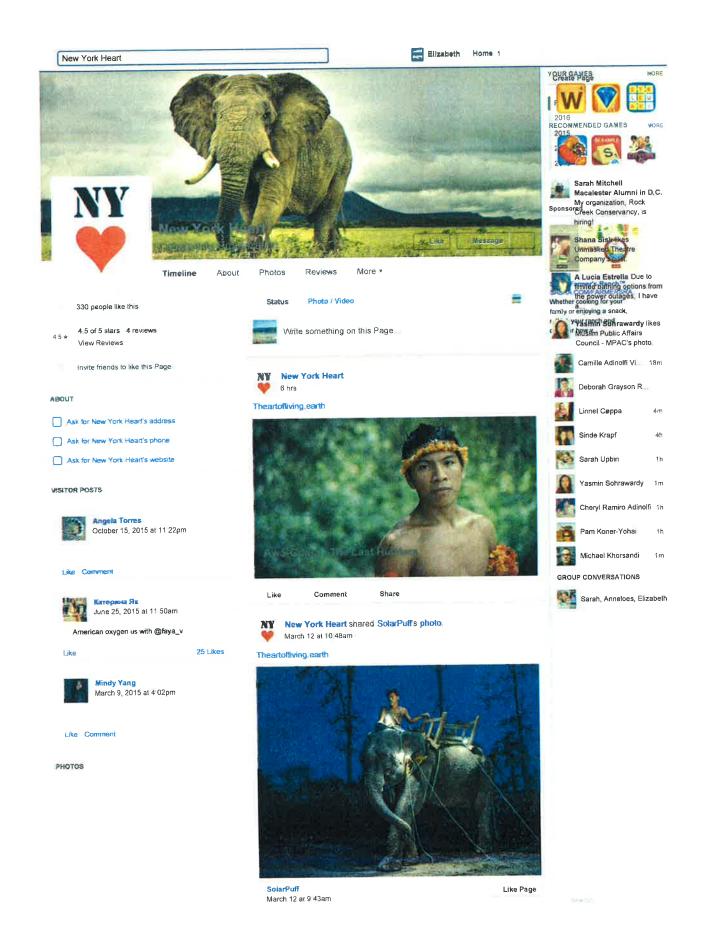
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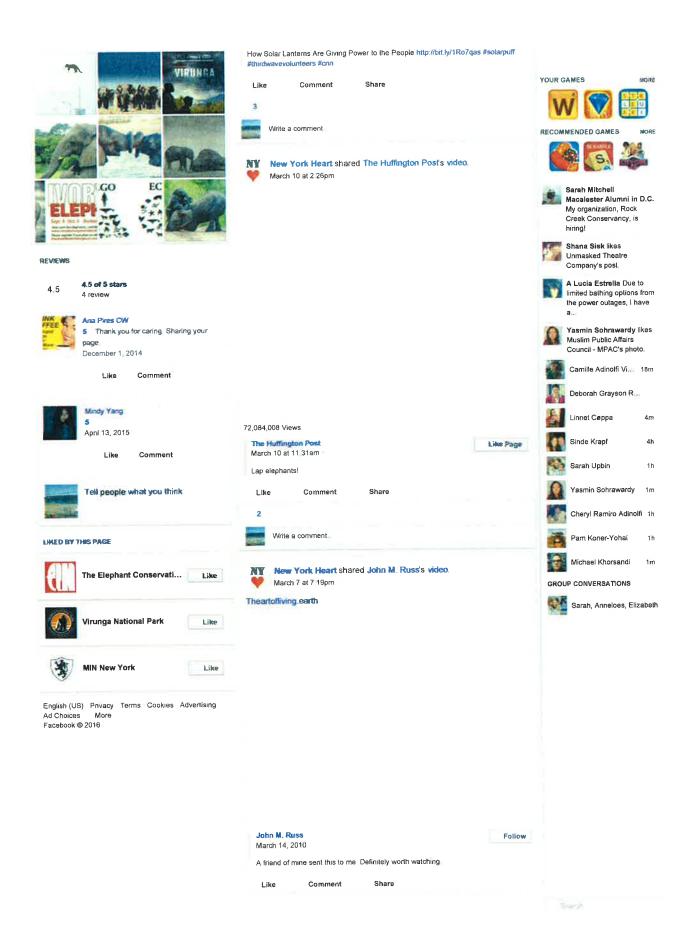
godolcevita So happy to see my perfume in your superlative collection, @mohdsultanh . #olfactoryart #scentedmoments #GoDolceVita #artofliving #gratefulme #WakingDream #pastlives



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INVENTORY OF EXPERIENCES +

MESSAGE

SUBMIT

CURATOR MINDY YANG " THE ART OF LIVING

1

the bubbinator:

every second of everyday I smell the slightest thing and it reminds me of you, I remember too the hours we would lay in my bed and half music on Spotify, or a YouTube playlist, I remember the way you would wrap your arms around me as we lay there in silence gazing in each others eyes I remember the way you always said my name. as I watched it roll off your perfect toungue, 1 remember the way you smell, the way you talked, your perfect laugh as is came out of your mouth. I remember the way you cried in my arms, and I rubbed your back as I told you it was all gonna be alright. I remember that smell you have, conversations we would randomly have, that were so deep and meaningful I could never forget them. I remember the times where it was 2 AM and we would randomly wake one another up just to say "I love you" I remember it all. i miss it every second of every hour of every day. and wish it can go back to every day I want to think its that and in all my power i want it like that again. it burns my throat too.

INVENTORY OF EXPERIENCES +



-PETRICHOR-

ranros:

I'm just a barren desert and dry. Which is expect rain soaked and gave me a wonderful life. Once upon a time, the rain comes, It's not only expectation anymore but.. it is a miracle. The scent of happiness, the scent of life, the scent of left desolate. For a moment became what I expected. But then, for a moment I felt deceived. Made me forget that the rain is not always there for me. And now, I just love how that scent brings hope without expect nothing anymore, petrichor,

-Rani R





goldenflower-tea asked: london, oslo, las vegas, chicago, cairo, and mumbal c:

novelteathought

LONDON: How do you take your tea?

With milk and a little bit of sugar

OSLO: What keeps you warm?

Currently, a heated blanket. But if this is in some kind of emotional sense then probably the happiness of my friends? idk

LAS VEGAS: Have you ever broken a heart?

I have no idea; though I have handled someone telling me they liked me in a very bad way (I thought they were lying and go angry so...).

CHICAGO: What do you ache for?

To have my baseline mood be that of being content.

CAIRO: Whats your favorite quote?

I have so many quotes I love, how am I supposed to decide?! But I think one of my favorites that I haven't mentioned yet (or at least recently) is "I'd forgotten not all victories are about saving the universe." - Rory, DW

MUMBAI: What is your favorite scent?

The smell of rain in the fall when the leaves have fallen. Or warm laundry.

bengalibanter:

I don't know why I call myself a woman.Perhaps its something to do with the fact that I liked pink as a girl.Perhaps it's because the word has a nice ring to it,but I once identified as the hindi equivalent of boy for the very same reason.Some people say bleeding once a month makes you woman.I don't. Some say loving men makes you woman but every man I've ever let into my bloodstream has infused me

Anonymous asked: Cecilla sentrygamblre:

7.

Candy Eucalyptus Cute Inseparable Light Ignorance Animals

panthxra-tigris:

How is it that something as simple as a familiar scent, reminiscent of happier times, can make you feel like your old self again?

altonatively:

@kandai-na-fukurou

Tying the strap of his apron around his back, Alto secured his uniform with a tight knot and exited the backroom. The sunlight shone through the glass walls, reflecting off of polished tables and colourful mugs on display. He looked upon the growing line of people crowding in front of the counter, their phones in hand, their eyes on the menu; It would be another busy day at Domino Coffee, but the presence of the never ending sea of people and the strong scent of coffee beans excited him. He took a deep breath and mentally prepared himself for the day. He made his way to the counter and powered up the vacant cash register, the small screen on the machine changing to a welcome message of bright green text. Looking up from the counter, he faced his

first customer of the day.

"Welcome to Domino Coffee.
What can I get for you?"



harunome:

i find it strange that the simple but lovely scent of daffodils which I can smell in my room right now can make me think of so many things all at once spring is here and so is love

lilycna:

"Why." The brunette mumbled under peppermint scented breath as she rubbed her temples a groan leaving pink painted lips as she reached for a bottle of water. "How much did I drink last night.?"







"Υ

"W it's ob its wh

ou

INVENTORY O





"Our senses of taste and smell are tightly interconnected, but psychologically distinct. The way we develop and feed these two senses has changed throughout our history, prompting our most ambitious thinkers to ponder what these shifting societal sands say about us and the ways we perceive our world."

Kōdō & The Fragrances of Japan

I like pouring your tea, lifting the heavy pot, and tipping it up, so the fragrant liquid streams in your china cup.

WITH A STOPP SCENE RIENC

ecret_

child THE ART OF LIVING child work my hard short and my brothers hand me downs so everyone asked me what gender I was and waited for me to ease into femininity but I still wear my hair short and shop too much at the mens section, I still havent eased into femininity

but im woman and that is enough, im woman when im drowning in the inadequacy of my breasts when im reaching out between my legs when im throwing up one finger down my throat into the toilet bowl when im weeping laughing sobbing sweating recovering smelling disgusting im woman in all that

im woman when i smell love on my skin and try to scrub it off telling my body it has too much hurt and earth and ache and disquiet in it for this im a woman at 3 am and at 4 pm and in a san and with my hair in a pixie crop

in hate and in love and in victory and in triumph im a woman and that is enough

listen,a woman is a woman regardless of anything womanhood isnt verified by genitalia or reproductive capacity, womanhood is in light and fire and love and power to call oneself a woman is validation enough, womanhood is enough, womanhood is enough.















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shethedaydreamer:

Keep reading

I like to think of your cupped hars decay you share curator minor yang. The art of Living the Art of L

as you sip, of the faint halfsmile of your lips.

I like the questions – sugar? – milk? – and the answers I don't know by heart, yet, for I see your soul in your eyes, and I forget.

Jasmine, Gunpowder, Assam, Earl Grey, Ceylon, I love tea's names. Which tea would you like? I say but it's any tea for you, please, any time of day,

as the women harvest the slopes for the sweetest leaves, on Mount Wu-Yi, and I am your lover, smitten, straining your tea.

> . - Tea - Carol Anne Duffy (vía khaleesijade)













Anonymous asked: i told my crush about my love for the smell of vanilla so he got me a vanilla candle for christmas & bought vanilla fragrance for himself so he always smells like my favourite thing when I hug him

sleepysuggestions:

that is the cutest thing ever honestly

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Elizabeth A. Adinolfi

From:

Elizabeth A. Adinolfi

Sent:

Thursday, March 10, 2016 10:03 AM

To:

Elizabeth A. Adinolfi

Subject:

re samples

From: Gauri Garodia <gauri.garodia@codedeco.com.sg>

Date: Tuesday, March 8, 2016 at 1:55 AM

To: Suzie Iris Lee <suzie@min.com>

Subject: re samples

Dear Suzie

I need a favour. Since our stocks are on consignment, I need two sets of each fragrance to be couriered to the foll. address. Pls do debit the stocks from my books and mark them as samples. Please deduct any courier charges from amount owed to me.

Superego Management / The Art Of Living. Earth, 401 Park Ave S. 10th Floor, NY NY 10016

Let me know when these go out.

best regards Gabri FILED: NEW YORK COUNTY CLERK 03/15/2016 01:40 PM

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CoDaddy Code

Chad, your order confirmation is inside

Date: February 27, 2016 at 2:22 PM



24/7 Support: (480) 505-8877 Chad Murawczyk — Customer Number: 4875884

Thank you.

Here's your confirmation for order number 943222610. Review your receipt and get started using your products.

Private Domain Registration GODOLCEVITA COM Manage	1.833 Years	\$14.65
Private Domain Registration SUPEREGOMANAGEMENT COM	1.833 Years	\$14.65
Private Domain Registration NEWYORKHEART ORG Manage	1.523 Years	\$12.17
Private Domain Registration INVENTORYOFEXPERIENCES COM Manage	1.833 Years	\$14.65
Private Domain Registration THEARTOFLIVING EARTH Manage	1.836 Years	\$14.67
Private Domain Registration <u>ARTOFUVING EARTH</u> Menage	1.879 Years	\$15.01

Subtotal,

\$85,80

Tax

\$0.00

folal

\$85.80



NOTE: Unless you have specifically selected the manual renewal option, your purchase includes enrollment in our automatic renewal service. This keeps your products up and running by automatically charging the then-current renewal fees to your payment method on file just before they're set to expire, with no further action on your part. You may cancel this service at any time by turning off the auto-renewal feature in your GoDaddy account.

Take a quick survey and tell us how we're doing.

Enjoy 25%* off new products of \$75.00 or more.

Use promo code gdbbu2228 in your cart when you order.

Recommended for you

Find your match

Extend and protect your brand by securing matching domain extensions like .com, .org, .net, .info and more.



Stand out online

Tell people exactly who you are and what you do with a new domain like gury and club.



*Not applicable to ICANN fees, taxes, transfers, premium domains, premium templates, cloud server plans, Professional Design Service fees (including Web Design, eCommerce Design, and Logo Design), gift cards or Trademark Holders/Priority Pre-registration or pre-registration fees. Offer good towards new product purchases only and cannot be used on product renewals. Cannot be used in conjunction with any other offer, sale; discount or promotion. After the initial purchase term, discounted products will renew at the then-current renewal list price.

Offer may be changed without notice.

From: GoDaddy denotrophy: qothatily com-Subject: Chad, your order confirmation is inside Date February 27, 2016 at 2:18 PM

1. (*) 1. (*) 1. (*) (*)



24/7 Support: (480) 505-8877 Chad Murawczyk — Customer Number: 4875884

Thank you.

Here's your confirmation for order number 943221923. Review your receipt and get started using your products.

Domain Consolidation GODOLCEVITA COM SUPEREGOMANAGEMENT COM INVENTORYOFE XPERIENCES COM Manage			\$28.31
COM Domain Renewal GODOLCEVITA COM Manage	1 Domain	1 Year	\$9.99
COM Domain Renewal SUPEREGOMANAGEMENT COM Manage	1 Domain	1 Year	\$11.92
ORG Domain Renewal NEWYORKHEART ORG Manage	1 Domain	1 Year	\$18.17
EARTH Domain Renewal IHEARTOFLIVING EARTH Manage	1 Domain	1 Year	\$30.17
EARTH Domain Renewal ARTOFLIVING EARTH Manage	1 Domain	1 Year	\$30.17

Subtotal:

\$128.73

Tax:

\$0,00

Total.

\$120.73



NOTE: Unless you have specifically selected the manual renewal option, your purchase includes enrollment in our automatic renewal service. This keeps your products up and running by automatically charging the then-current renewal fees to your payment method on file just before they're set to expire, with no further action on your part. You may cancel this service at any time by turning off the auto-renewal feature in your GoDaddy account.

Take a quick survey and tell us how we're doing.

Enjoy 25%* off new products of \$75.00 or more.

Use promo code gdbbu2228 in your cart when you order.

Your recommended domains are a click away[‡]. Register now:

godolcevita.net rundolcevita,com

godolcevita.org godolcevita.info

Not seeing one you like?



‡This email does not assure the availability of the specific domains; only that they were still available as of February 27, 2016.

*Not applicable to ICANN fees, taxes, transfers, premium domains, premium templates, cloud server plans, Professional Design Service fees (including Web Design, eCommerce Design, and Logo Design), gift cards or Trademark Holders/Priority Pre-registration or pre-registration fees. Offer good towards new product purchases only and cannot be used on product renewals. Cannot be used in conjunction with any other offer, sale, discount or promotion. After the initial purchase term, discounted products will renew at the then-current renewal list price. Offer may be changed without notice.

2/29/2016

Transaction Details Prepared for Chad Murawczyk Account Number XXXX-XXXXXX-53008

DESCRIPTION

DATE

GODADDY.COM 480-505-8855 AZ

SEP22015

Doing business as:

GODADDY.COM (480)505-8855 14455 N HAYDEN RD

STE 219

SCOTTSDALE

85260-6993

Ø

UNITED STATES OF AMERICA (THE)

Additional Information: (480)505-8855

Reference: 320152460311427679

Category: Other - Miscellaneous

480,505.8859

American Express US: Manage Your Card Account: Online Statement

CARD MEMBER

MINDY YANG

AMOUNT

\$10.34

invertigatexperituas. com

Transaction Details Prepared for Chad Murawczyk Account Number XXXX-XXXXXX-63008

DESCRIPTION

DATE

GODADDY.COM (480)505-8855

SEP6 2014

Doing business as:

GODADDY.COM (480)505-8855

14455 N HAYDEN RD STE 219

SCOTTSDALE

Ŗ

85260-6993

UNITED STATES OF AMERICA (THE)

Reference; 320142510575385233

Additional Information: (480)505-8855

Category: Other - Miscellaneous

CARD MEMBER

CHAD MURAWCZYK

newyookheart. OF &

\$9.17

AMOUNT

American Express US: Manage Your Card Account: Online Statement

Transaction

2/29/2016

Page 1 of 3



Transaction Details
Prepared for
Mindy Yang
Account Number
XXXX-XXXXXXX-51010

Business Gold Rewards Card / August 1, 2015 to February 29, 2016

Date	Receipt Description	Card Member	Amount
Aug 01 2015	INDEED 203-564-2400 CT	Mindy Yang	\$1.00
Aug 02 2015	ZIPCAR.INC ZIPCAR BOSTON MA	Mindy Yang	-\$15.28
Aug 02 2015	ZIPCAR.INC ZIPCAR BOSTON MA	Mindy Yang	\$110.28
Aug 03 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$51.80
Aug 03 2015	MORIHATA INTERNATIONPHILADELPHIA PA	Mindy Yang	\$266.00
Aug 04 2015	STAPLES 00215 (800)333-3330	Mindy Yang	\$50.06
Aug 05 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$97.05 •
Aug 07 2015	CAMPAIGNMONITOR.COM SUTHERLAND AU	Mindy Yang	\$5.45
Aug 08 2015	ZIPCAR.INC ZIPCAR BOSTON MA	Mindy Yang	-\$18.88
Aug 08 2015	ZIPCAR.INC ZIPCAR BOSTON MA	Mindy Yang	\$122.73
Aug 10 2015	VISTAPR*VISTAPRINT.C866 893 6743 CA	Mindy Yang	\$140.07
Aug 11 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$14.80
Aug 11 2015	BROOKLYN GLASS LLC BROOKLYN NY	Mindy Yang	-\$266.74
Aug 12 2015	CAMPAIGNMONITOR.COM SUTHERLAND AU	Mindy Yang	\$13.47
Aug 13 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$15,20
Aug 14 2015	ONLINE PAYMENT - THANK YOU	Mindy Yang	-\$100.00
Aug 15 2015	TRYCAVIAR.COM IVAN R8666127021 CA	Mindy Yang	\$40.52
Aug 20 2015	CRAIGSLIST INC CRAIGSAN FRANCISCO CA	Mindy Yang	\$25.00 ,,
Aug 20 2015	ZIPCAR.INC ZIPCAR BOSTON MA	Mindy Yang	\$20.32
Aug 24 2015	VONAGE BUSINESS 866-901-0242 GA	Mindy Yang	\$258.59
Aug 31 2015	DELIVERY.COM 888-4341035 NY	Mindy Yang	\$44.06
Sep 01 2015	BLICK ART 8004471892NEW YORK NY	Mindy Yang	\$111.68 •
Sep 02 2015	GODADDY.COM 480-505-8855 AZ	Mindy Yang	\$10.34
Sep 03 2015	STAPLES 00472 (800) 333-3330	Mindy Yang	\$46.78
Sep 03 2015	WWW.ISTOCK.COM IMAGERY	Mindy Yang	\$325.00
Sep 04 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$17.94
Sep 04 2015	BESTYPE DIGITAL IMAG212-966-6886	Mindy Yang	\$32.66
Sep 04 2015	CLEARBAGS 0848700521800-2332630 CA	Mindy Yang	\$129.71
Sep 04 2015	UBER UBER 866-576-1039 CA	Mindy Yang	\$8.00
Sep 05 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$5.16
Sep 05 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$95.53
Sep 08 2015	VISTAPR*VISTAPRINT.C866 893 6743 CA	Mindy Yang	\$200,68
Sep 09 2015	UBER UBER 866-576-1039 CA	Mindy Yang	\$8.00 11
Sep 10 2015	DROPBOX*XBX4BM6J5MZVSAN FRANCISCO CA	Mindy Yang	\$99.00
Sep 13 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$94.53
Sep 13 2015	UBER UBER 866-576-1039 CA	Mindy Yang	\$20.22
Sep 15 2015	UBER UBER 866-576-1039 CA	Mindy Yang	\$8.00
Sep 24 2015	VONAGE BUSINESS 866-901-0242 GA	Mindy Yang	\$267.37
Sep 25 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$93.63
Sep 30 2015	S & R MEDALIION TAXINEW YORK NY	Mindy Yang	\$12.30
Oct 01 2015	DEAN & DELUCA 000000NEW YORK NY	Mindy Yang	\$62.61
Oct 05 2015	MOO.COM ORDER@MOO.COM	Mindy Yang	\$49.73
Oct 05 2015	ZIPCAR.INC ZIPCAR BOSTON MA	Mindy Yang	\$45.85

Page 2 of 3



Transaction Details
Prepared for
Mindy Yang
Account Number
XXXX-XXXXXXX-51010

Business Gold Rewards Card / August 1, 2015 to February 29, 2016

Date	Receipt	Description	Card Member	Amount
Oct 06 2015		DELIVERY.COM 888-4341035 NY	Mindy Yang	\$28.49
Oct 06 2015		ZIPCAR.INC ZIPCAR BOSTON MA	Mindy Yang	\$7.65
Oct 07 2015		NIPPONKODO COM NIPPOTORRANCE CA	Mindy Yang	\$230.42
Oct 07 2015		UBER UBER 866-576-1039 CA	Mindy Yang	\$8.00
Oct 08 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$56.38
Oct 08 2015		CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$5.48
Oct 09 2015		CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$10.31
Oct 09 2015		CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$10.71
Oct 09 2015		UBER UBER 866-576-1039 CA	Mindy Yang	\$8.00
Oct 14 2015		CB2 - SOHO NEW YORK NY	Mindy Yang	\$216.66
Oct 14 2015		UBER UBER 866-576-1039 CA	Mindy Yang	\$12.00
Oct 15 2015		UBER UBER 866-576-1039 CA	Mindy Yang	\$19.80
Oct 16 2015		DELTA AIR LINES ATLANTA	Mindy Yang	\$100.00
Oct 21 2015		MAX DELIVERY NEW YORK NY	Mindy Yang	\$85.32
Oct 21 2015		MORIHATA INTERNATIONPHILADELPHIA PA	Mindy Yang	\$317.60
Oct 22 2015		CRAIGSLIST INC CRAIGSAN FRANCISCO CA	Mindy Yang	\$45.00
Oct 24 2015		UBER UBER 866-576-1039 CA	Mindy Yang	\$79.44 ,
Oct 25 2015		VONAGE BUSINESS SOLU(866)901-0242 GA	Mindy Yang	\$266.02
Oct 26 2015		UBER UBER LONDON GB	Mindy Yang	\$10.73
Oct 26 2015		UBER UBER LONDON GB	Mindy Yang	\$11.41
Oct 28 2015		UBER UBER LONDON GB	Mindy Yang	\$13.02
Oct 28 2015		UBER UBER LONDON GB	Mindy Yang	\$13.81
Nov 05 2015		AMAZON PRIME NOW AMAZON.COM/BI WA	Mindy Yang	\$52.24
Nov 07 2015		AMAZON PRIME NOW TIPAMAZON.COM/BI WA	Mindy Yang	\$2.00
Nov 10 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$38.40
Nov 10 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$57,20
Nov 10 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$58.68
Nov 11 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$19.97
Nov 11 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$35.88 ¹ 1
Nov 11 2015		UBER UBER 866-576-1039 CA	Mindy Yang	\$8.00
Nov 12 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$100.90
Nov 12 2015		DELIVERY.COM 888-4341035 NY	Mindy Yang	\$26.95 •
Nov 13 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$24.69
Nov 13 2015		CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$96.86
Nov 17 2015		AMAZON.COM AMZN.COM/BILL WA	Mindy Yang	\$16.20
Nov 17 2015		PAYPAL *LASERSPIEGE 4029357733 CA	Mindy Yang	\$118.10
Nov 18 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$69.57
Nov 24 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$32.72
Nov 24 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$11.06
Nov 24 2015		AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$31.34
Nov 24 2015		VONAGE BUSINESS SOLU(866)901-0242 GA	Mindy Yang	\$291.24
Nov 25 2015		CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$99.37
Nov 28 2015		AMAZON.COM AMZN.COM/BILL WA	Mindy Yang	\$54.43
				(ii

Page 3 of 3

\$5,977.44



Total

Transaction Details
Prepared for
Mindy Yang
Account Number
XXXX-XXXXXXX-51010

Business Gold Rewards Card / August 1, 2015 to February 29, 2016

Date Receipt	Description	Card Member	Amount
Nov 30 2015	IL BUCO ALIMENTARI ENEW YORK NY	Mindy Yang	\$78.41
Nov 30 2015	UBER UBER 866-576-1039 CA	Mindy Yang	\$8.41
Dec 01 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$12.53
Dec 01 2015	FEDEX# 781816290100 MEMPHIS TN	Mindy Yang	\$53.94
Dec 03 2015	5% OPEN Savings at FedEx	Mindy Yang	-\$2.70
Dec 03 2015	AMAZON.COM AMZN.COM/BILL WA	Mindy Yang	\$19.59
Dec 03 2015	B & J FLORIST SUPPLYNEW YORK	Mindy Yang	\$91.24
Dec 03 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$104.79
Dec 03 2015	FOLIAGE PARADISE 050NEW YORK NY	Mindy Yang	\$21.77
Dec 03 2015	NYC TAXI 1D46 090205BROOKLYN NY	Mindy Yang	\$17.30
Dec 03 2015	SILK GARDENS AND TRENEW YORK NY	Mindy Yang	\$115.73
Dec 04 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$11.06 *
Dec 04 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$26.95
Dec 04 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$10.62
Dec 04 2015	WWW.ISTOCK.COM 866-478-6251 WA	Mindy Yang	\$92.00
Dec 05 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$25.99
Dec 05 2015	AMAZON.COM AMZN.COM/BILL WA	Mindy Yang	\$12.74
Dec 05 2015	FEDEX# 808335213207 MEMPHIS TN	Mindy Yang	\$56.92
Dec 06 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	\$79.90
Dec 09 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$69.57
Dec 10 2015	CAMPAIGNMONITOR.COM SUTHERLAND NS	Mindy Yang	\$5.26
Dec 12 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$79.90
Dec 12 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$19.69
Dec 13 2015	AMAZON.COM AMZN.COM/BILL WA	Mindy Yang	-\$19.59
Dec 14 2015	5% OPEN Savings at FedEx	Mindy Yang	-\$2.85
Dec 19 2015	AMAZON MKTPLACE PMTSAMZN.COM/BILL WA	Mindy Yang	-\$18.80
			P
SUMMARY			-\$100.00
Payments Pay In Full Charges			\$6,579.88
Pay Over Time Charges			\$0.00
Credits			-\$602.44

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Page 76 of 91
NYSCEF: 03/15/2016

1/1

\$99.00 **AMOUNT**

DROPBOX*XBX4BM6J5MZVSAN FRANCISCO CA Transaction Details Prepared for Chad Murawczyk
Account Number
XXXX-XXXXXX-53008 DESCRIPTION

DATE

CARD MEMBER

MINDY YANG

Doing business as: DROPBOX

SEP10 2015

185 BERRY ST

SAN FRANCISCO STE 400

94107-1725 S

UNITED STATES OF AMERICA (THE)

Additional Information: 4159867057 Reference: 320152530411337864

Category: Other - Miscellaneous

https://online.americanexpress.com/myca/estmt/us/list.do?Face=en_US&request_type=authreg_Statement&BPIndex=0&sorted_index=0&inav=MYCA_OPEN_Statements2

American Express US: Manage Your Card Account: Online Statement

INDEX NO. 152192/2016 Page 77 of 91 RECEIVED NYSCEF: 03/15/2016

Elizabeth A. Adinolfi

From:

Elizabeth A. Adinolfi

Sent:

Monday, March 14, 2016 2:58 PM

To:

Elizabeth A. Adinolfi

Subject:

FW: Mindy Yang Drop Box activity Notice

Attachments:

Assets 2.pdf; Assets 3.pdf; Assets 4.pdf; Assets 5.pdf; Assets 6.pdf; Assets 7.pdf; Assets 8.pdf; Assets 9.pdf; Assets 10.pdf; Assets 11.pdf; Assets 12.pdf; Assets 13.pdf; Assets 14.pdf; Assets 15.pdf; Assets 16.pdf; Assets 17.pdf; Assets 18.pdf; Assets 19.pdf; Assets 20.pdf; Assets 21.pdf; Assets 22.pdf; Assets 23.pdf; Assets 24.pdf; Assets 25.pdf; Assets 26.pdf; Assets 27.pdf; Assets 28.pdf; Assets 29.pdf; Assets 30.pdf; Assets 31.pdf; Assets

32.pdf; Assets 33.pdf; Assets 34.pdf

From: Dropbox <no-reply@dropboxmail.com> Date: Friday, March 11, 2016 at 3:59 AM To: Suzie Iris Lee <suzie@min.com>

Subject: Recently deleted files in your Dropbox



Hi Suzie,

We noticed that you recently deleted a large number of files from your Dropbox. Deleted files are saved for 30 days, and can be restored anytime during that 30-day window.

Dropbox will save deleted files longer than 30 days if you've purchased Extended Version History, or if you have a Dropbox Business account.

Want to restore? Go to www.dropbox.com/trash, select the deletion event, and then click the restore link.

Case 1:16-cv-02555-KMW Document 1-2 Filed 04/05/16 Page 78 of 91

Learn more at www.dropbox.com/help/9132.

We thought you should know about these large deletion event(s) that occurred recently:

You deleted 3,387 files
3/10/2016 5:08 PM

If you meant to delete these files, you can ignore this email.

Happy Dropboxing!

The Dropbox Team

Event Details - Dropbox





Name	Event	Size
IMG_7617.jpg	Deleted	1.43 MB
IMG_7616.jpg	Deleted	1.33 MB
IMG_7615.jpg	Deleted	1.32 MB
IMG_7614.jpg	Deleted	1,16 MB
IMG_7613.jpg	Deleted	1.2 MB
IMG_7612.jpg	Deleted	1.31 MB
IMG_7611.jpg	Deleted	1.46 MB
IMG_7610.jpg	Deleted	1.39 MB
IMG_7609.jpg	Deleted	1.06 MB
IMG_7608.jpg	Deleted	763,84 KB
IMG_7607.jpg	Deleted	1.17 MB
IMG_7606.jpg	Deleted	1.44 MB
IMG_7605.jpg	Deleted	1.31 MB
IMG_7604.jpg	Deleted	1.32 MB
IMG_7598.jpg	Deleted	1.23 MB
IMG_7596.jpg	Deleted	1.17 MB
IMG_7595.jpg	Deleted	1.23 MB
IMG_7593.jpg	Deleted	1.19 MB
IMG_7592.jpg	Deleted	1.39 MB
IMG_7591.jpg	Deleted	1.38 MB
IMG_7589.jpg	Deleted	1 MB
IMG_7588.jpg	Deleted	1.15 MB
IMG_7587.jpg	Deleted	1.07 MB
IMG_7586.jpg	Deleted	1,1 MB
IMG_7585.jpg	Deleted	1.29 MB
IMG_7584.jpg	Deleted	1.79 MB
IMG_7583.jpg	Deleted	1.93 MB
IMG_7581.jpg	Deleted	1.35 MB
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IMG_7569.jpg	Deleted	1.25 MB
IMG_7568.jpg	Deleted	1.12 MB

Case 1:16-cv-02555-KMW Document 1-2 Filed 04/05/16 Page 80 of 91

3/11/2016	Event Details - Dropbox	
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IMG_7566.jpg	Deleted	1.16 MB
IMG_7565.jpg	Deleted	1.12 MB
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IMG_7554.jpg	Deleted	1.53 MB
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IMG_7536.jpg	Deleted	1.93 MB
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IMG_7531.jpg	Deleted	2.42 MB
IMG_7530.jpg	Deleted	1.6 MB
IMG_7527.jpg	Deleted	2.22 MB
IMG_7526.JPG	Deleted	2.07 MB
IMG_7522.jpg	Deleted	1.87 MB
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IMG_7510.jpg	Deleted	3.07 MB
IMG_7508.jpg	Deleted	3 MB
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IMG_7506.jpg	Deleted	2.83 MB
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IMG_7504.JPG	Deleted	2.11 MB
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IMG_7500.jpg	Deleted	2.31 MB
IMG_7499.jpg	Deleted	2.4 MB
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IMG_7469.jpg	Deleted	1.61 MB
IMG_7468.jpg	Deleted	1.34 MB

Case 1:16-cv-02555-KMW Document 1-2 Filed 04/05/16 Page 81 of 91

3/11/2016	Event Details - Dropbox	
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IMG_7443.jpg	Deleted	1.4 MB
IMG_7442.jpg	Deleted	1,35 MB
	« Previous Next »	

Support Community Dropbox About us Install Dropbox Blog Help Center Referrals Mobile About Get Started Forum Twitter Pricing Privacy & Terms Branding Business News Copyright Facebook Contact us Developers Enterprise Jobs

Tour

Event Details - Dropbox





Name	Event	Size
HeeleyJAug14.jpg	Deleted	753.67 KB
HayariInvite.pdf	Deleted	2.13 MB
HayariInvite.jpg	Deleted	393.64 KB
HAYARI Paris PK Trio of women's fragrances.pdf	Deleted	2.14 MB
HAYARI Paris PK Duo of men's fragrances.pdf	Deleted	2.63 MB
HAYARI Paris DP Trilogie de fragrances pour femmes.pdf	Deleted	2.15 MB
HAYARI Paris DP Diptyque de fragrances por hommes.pdf	Deleted	2,6 MB
Press Kit - Dossier de Presse	Deleted	
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HAYARI Paris Logo W&B.jpg	Deleted	677.5 KB
HAYARI Paris Logo B&W.jpg	Deleted	697.73 KB
Logo	Deleted	
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CityAwardHeader.jpg	Deleted	17.14 KB
130621 Your Goldy.jpg	Deleted	138.37 KB
ICMAD CITY Awards	Deleted	
HAYARI Parfums Paris Press Review.pdf	Deleted	11.23 MB
Nat Faxon The Descendants.jpg	Deleted	233.49 KB
Lana Parrilla Once Upon A Time.jpg	Deleted	195.32 KB
Jennifer Love Hewitt.jpg	Deleted	204.33 KB
hofit golan.jpg	Deleted	102.65 KB
Elizabeth McGovern Downton Abbey Best Performance.jpg	Deleted	194.63 KB
Hayari Parfums and celebrities	Deleted	
Trilogie&Diptyque copy.jpg	Deleted	4.51 MB
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HAYARI Paris trilogie PARFUMS 50ml.jpg	Deleted	762.09 KB
HAYARI Paris trilogie EAUX DE PARFUMS 100ml.jpg	Deleted	1.88 MB
HAYARI Paris flacon couture 100ml.jpg	Deleted	2,91 MB
HAYARI PARIS Alisa Krylova - trilogie.jpg	Deleted	1.22 MB
HAYARI PARIS Alisa Krylova - Only for Her .jpg	Deleted	17.15 MB
X MORE PICS	Deleted	
ONLYFORHIM-COFFRET+FLACON.jpg	Deleted	4.1 MB
ONLY FOR HIM Pyramide Olfactive.jpg	Deleted	1.53 MB
FORHIMFLACON.jpg	Deleted	3.69 MB
Banière Only For Him copy.jpg	Deleted	1.83 MB
ONLY FOR HIM	Deleted	
OnlyforHer PARFUMS 50ml .jpg	Deleted	1.3 MB
OnlyforHer PARFUMS 50ml + coffret.jpg	Deleted	4.37 MB

Case 1:16-cv-02555-KMW Document 1-2 Filed 04/05/16 Page 83 of 91

3/11/2016	Event Details - Dropbox	
OnlyForHer EAU DE PARFUM 100ml.jpg	Deleted	1.34 MB
OnlyforHer 100ml + coffret.jpg	Deleted	5.29 MB
ONLY FOR HER Pyramide Olfactive.jpg	Deleted	708.77 KB
ONLY FOR HER 100ML.pdf	Deleted	2.82 MB
ONLY FOR HER	Deleted	
PARADISFLACON.jpg	Deleted	2.98 MB
PARADIS-COFFRET+FLACON.jpg	Deleted	3.06 MB
LE PARADIS DE L'HOMME Pyramide Olfactive.jpg	Deleted	1.58 MB
Banière Le Paradis de l'Homme copy.jpg	Deleted	1.73 MB
LE PARADIS DE L'HOMME	Deleted	
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Goldy PARFUMS 50ml + coffret.jpg	Deleted	2.16 MB
Goldy EAU DE PARFUM 100ml.jpg	Deleted	4.33 MB
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Goldy 100ml + coffret.jpg	Deleted	4.65 MB
GOLDY	Deleted	
Broderie Pyramide olfactive.jpg	Deleted	702.38 KB
Broderie PARFUMS 50ml + coffret.jpg	Deleted	862.74 KB
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Broderie EAU DE PARFUM 100ml.jpg	Deleted	3.41 MB
Broderie 100ml.pdf	Deleted	6.71 MB
Broderie 100ml + coffret.jpg	Deleted	4.53 MB
BRODERIE	Deleted	
Fragrances Pictures -Visuels Fragrances	Deleted	
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_DSC6133.jpg	Deleted	1.98 MB
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3/11/2016	Event Details - Dropbox	
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Event Details - Dropbox





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IMG_0184.jpg	Deleted	1.3 MB
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	« Previous Next »	

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Event Details - Dropbox





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Event Details - Dropbox





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